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September 17, 2003
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Patent

Attorney Docket
31408-10229

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul H. Stallings et al.

Serial No.: 09/472,263

Filed: December 27, 1999

For: **Method for Transforming CAD Model Using General Function Composition Mechanism**

Group Art Unit: 2123

Examiner: Herng-Der Day

**BRIEF DESCRIPTION OF ARGUMENTS FOR APPLICANT-INITIATED
INTERVIEW REQUEST**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Applicant received a second, final Office Action for the referenced application mailed August 13, 2003. Applicant respectfully requests an Examiner interview at the earliest possible date, and requests that the Primary Examiner attend. Applicant previously requested an interview with the Examiner prior to responding to the first Office Action. However, the Examiner declined and invited Applicant to submit a written response. Applicant complied and received the second, final Office Action. Because Applicant

believes that an interview with the Examiner is necessary to understand and respond to the Examiner's objections and rejections, Applicant hereby requests an interview to discuss the following topics:


1. **Objections to Drawings.** The Examiner has stated that the objections to the drawings will not be held in abeyance. Because this application was filed on December 27, 1999, prior to the application publication requirement, Applicant requests that the objections to the drawings be held in abeyance.

2. **Section 112 Rejections.** The Examiner has rejected claims 1-25 under 35 U.S.C. Section 112, stating that functions defined in the specification are contradictory. Applicant submitted a response to the first Office Action explaining why the function definitions are not contradictory. Because the Examiner did not address Applicant's argument but merely restated the rejection in the second Office Action, Applicant requests an interview with the Examiner to better understand the Examiner's reasons for rejection.

3. **Section 102/103 Rejections.** The Examiner introduced new grounds for rejection in the second Office Action by rejecting claims 1-2, 7-15 and 20-25 under Sections 102 by Silva and claims 3-6, and 16-19 by Silva in view of Kalay. Because the Examiner did not designate the portion of the references relied upon with detail, Applicant respectfully requests an interview with the Examiner to discuss the applicability of the cited references to the application.

Applicant hereby requests an interview at the earliest possible date. Applicant hereby also requests that the Examiner withdraw the final action because the Examiner has introduced new references.

Respectfully submitted,

By 
Eric P. McAlpine
Reg. No. 46,908

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Applicant Initiated Interview Request Form

Application No.: 09/472,263 First Named Applicant: Paul H. Stallings et al.
 Examiner: Herng-Der Day Art Unit: 2123 Status of Application: _____

Tentative Participants:

(1) Eric H. Weimers, Attny. (2) Eric P. McAlpine, Attny.

(3) Jim Gordon (4) Yunching Huang

Proposed Date of Interview: _____ Proposed Time: _____ (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Obj.</u>	<u>Figs. 1-7</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>Cls. 1-25</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej.</u>	<u>Cls. 1-2, 7-15</u> <u>20-25</u>	<u>Silva</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>Rej.</u>	<u>Cls. 3-6</u> <u>16-19</u>	<u>Silva, Kalay</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

_____ See attached

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

E. P. McAlpine
 (Applicant/Applicant's Representative Signature)

 (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Message:

Please see the following attached documents:

1. Certificate of Transmission
2. Applicant Initiated Interview Request Form
3. Brief Description of Arguments For Applicant-Initiated Interview Request

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The following documents are being transmitted:

1. Applicant Initiated Interview Request Form (1 pg.)
2. Brief Description of Arguments for Applicant Initiated Interview Request (3 pgs.)

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